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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

S. KANNO et al

Serial No. 09/651,783

Group Art Unit: 1754

Filed: August 30, 2000

Examiner: N. Nguyen

For: APPARATUS FOR TREATING PERFLUOROCOMPOUND GAS

#11/40
4/15/3

REQUEST FOR RECONSIDERATION

Commissioner for Patents
Washington, D.C. 20231

April 11, 2003

Sir:

The Applicants have received a Final Office Action dated April 4, 2003 (paper number 10) from the Examiner.

In the Final Office Action, the Examiner rejects claims 1-4 under 35 U.S.C. § 103 as being unpatentable over Atobe et al U.S. 6,146,606 (Atobe) in view of Ham et al U.S. 5,120,526 and optionally further in view of JP 08-318122 of Lang et al U.S. 6,235,256. The Applicants are currently analyzing these documents in preparation of a response to the Office Action.

Preliminarily, however, the Applicants wonder whether and to what extent Atobe is, indeed, prior art to the present claims. The cover page to the Atobe patent shows a filing date of December 28, 1999, which is later than the foreign priority date enjoyed by the present invention under

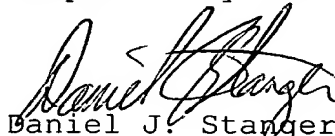
35 U.S.C. § 119. However, the cover sheet of the Atobe patent also shows that Atobe is related to provisional application number 60/147,142, Filed August 4, 1999, which is prior to the foreign priority date of the present application. The Office Action does not state to what extent the disclosed features in the Atobe patent are supported by the provisional application. Accordingly, the Applicants cannot determine whether a lengthy considered analysis is necessary to overcome the rejection, because the rejection cannot stand prima facie if Atobe is not prior art to the present claims.

No other issue is outstanding to prevent patentability of the present invention. Accordingly, the Applicants request an early response to this Request, indicating which portion of the Atobe disclosure relied upon for rejecting the claims is supported in the provisional application. Further, the Applicants request a reset of the statutory period for response to coincide with the mailing date of the response to this Request.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Daniel J. Stanger", is written over the typed name.

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